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STATE OF CALIFORNIA
BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY
DEPARTMENT OF BUSINESS OVERSIGHT

TO: WHEELS FINANCIAL GROUP, LLC DBA
LOANMART, 800 LOANMART, 1800LOANMART, W.F.G.,
NEEDCASHNOW.COM, RETAINER FUNDING SERVICES, AND
FUNERAL FUNDING SERVICES
15821 Ventura Boulevard, Suite 280
Encino, California 91436

AMENDED DESIST AND REFRAIN ORDER
(For violations of Sections 22701 and 22156 of the California Finance Lenders Law)

The Commissioner of Business Oversight finds that:

1. The Department of Business Oversight (“Department”), through the Commissioner of Business Oversight (“Commissioner”), is vested with the authority to license and regulate finance lenders and brokers in the State of California pursuant to the California Finance Lenders Law (Fin.Code §22000 et. seq., hereinafter “CFL”).

2. Wheels Financial Group, LLC doing business as LoanMart, 800 LoanMart, 1800 LoanMart, W.F.G., NeedCashNow.com, Retainer Funding Services, and Funeral Funding Services (“Wheels Financial”) is a California limited liability company with its principal place of business located at 15821 Ventura Boulevard, Suite 280, Encino, California 91436

3. Wheels Financial has been licensed by the Commissioner to engage in the business of a finance lender and broker (license number 603-8193) since on or about February 22, 2002. In addition to its main office, Wheels Financial has two other branch locations in California.

4. On or about November 19, 2013, the Commissioner, by and through staff, commenced a regulatory examination of the books and records of Wheels Financial (“regulatory examination”). The regulatory examination has not yet been concluded because unusual activity was noted regarding potential violations of a prior desist and refrain order issued against Wheels Financial. The Order involved the use of unapproved fictitious business names and blind advertising along with unlicensed brokering and compensating unlicensed persons for soliciting or accepting applications for loans among other issues.

1 5. On or about August 14, 2015, in furtherance of the regulatory examination, the
2 Department made written demand on Wheels Financial to submit additional information and
3 documents, to include documents relating to its relationship with numerous third parties that refer
4 business and/or leads to Wheels Financial and documentation relating to websites established
5 through GoDaddy.

6 6. On or about September 8, 2015, the Department received a response from Wheels
7 Financial to its August 19, 2015 demand. The September 8, 2015 response failed to include
8 numerous documents, including: GoDaddy invoices for 2013 and 2014; all contracts/agreements
9 with Leads Market, LLC, Call Local, Inc. and California Check Cashing Stores, LLC; all
10 invoices/billing statements or other supporting documentation from CB Gilmore, Inc. for 2013 and
11 2014 and payments made to CB Gilmore, Inc. for 2013; all invoices/billing statements or other
12 supporting documentation from and payments made to Kimberly Sojourn dba Payday Now Payday
13 Advance for 2013 and 2014; all communications between itself and Digital Currency Services, Inc.;
14 and complete files on 10 specific loan denials.

15 7. On or about December 9, 2015, further written demand was made to Wheels
16 Financial for the documentation described in paragraph 6 above. The written demand sought
17 additional information and documentation determined necessary based upon a review of the
18 documentation provided to date. Wheels Financial was given a deadline of December 19, 2015 to
19 provide the information and documentation. Wheels Financial requested an extension to
20 January 8, 2016, which was granted.

21 8. On or about January 8, 2016, Wheels Financial submitted a response letter to the
22 Department. However, Wheels Financial still failed to provide all of the information and
23 documentation demanded by the Department. In particular, Wheels Financial failed to provide (i)
24 the GoDaddy invoices for 2013; (ii) its telephone records for 2013 and 2014; (iii)
25 contracts/agreements between itself and LeadsMarket, LLC providing for payments other than what
26 is set forth in the March 4, 2014 Insertion Order (although Wheels Financial indicated that it was not
27 in possession of any documents evidencing contract(s) with Leads Market, LLC other than the
28 March 4, 2014 Insertion Order); (iv) individual evidence of all “clicks”, “accepted leads” and

1 “accepted calls” for LeadsMarket, LLC for December 2013 and July and October 2014; (v)
2 individual evidence of all “clicks” for Affiliate ROI, LLC for June and September 2013 and May
3 and September 2014; (vi) contracts/agreements between itself and Call Local, Inc. providing for
4 payments other than what is set forth in the June 27, 2012 Insertion Order (although Wheels
5 Financial indicated that it was not in possession of any documents evidencing contract(s) with Call
6 Local, Inc. other than the June 27, 2012 Insertion Order which was previously provided); (vii)
7 payments to Call Local, Inc. after February 2014; (viii) individual evidence of “clicks”, “calls”
8 and/or “leads” for D & D Marketing dba T3 Leads for July 2014; (ix) individual evidence of all
9 “clicks”, “calls” and/or “leads” for StoreFront Lenders, LLC for April, June, July, and September
10 2014; (x) all invoices/billing statements or other supporting documentation from CB Gilmore, Inc.
11 for 2013 and 2014 and payments made to CB Gilmore, Inc. for 2013 (although Wheels Financial
12 indicated it was not in possession of any documents evidencing invoices from CB Gilmore, Inc. for
13 2013 or 2014 or payments to CB Gilmore, Inc. for 2013); (xi) canceled checks to Kim Sojourn; (xii)
14 communications between itself and Digital Currency Services, Inc. during 2013 and 2014; (xiii)
15 monthly profit statements for Continental Currency Services for 2013 and 2014; (xiv)
16 communications between itself and Michael Morin dba Morin Corporation dba MA Griffin & Sons
17 dba Wooden Nickel & Trading Company during 2013 and 2014; and (xv) monthly statements,
18 canceled checks (front & back), ACH withdrawal transactions and wire out transactions for all its
19 bank accounts for the period January 2013 through December 2014.

20 9. On or about January 14, 2016, Wheels Financial submitted further documentation to
21 the Department pursuant to the December 9, 2015 demand letter. However, the further submission
22 only included the monthly profit statements for Continental Currency Services for 2013 and 2014
23 and the 2013 and 2014 monthly statements for its bank accounts sans any canceled checks (front &
24 back), ACH withdrawal transactions and wire out transactions.

25 10. On or about January 15, 2016, Wheels Financial submitted additional documentation
26 to the Department pursuant to the December 9, 2015 demand letter. This additional submission only
27 included its telephone records for 2014.
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1 11. Wheels Financial has failed to produce documents, upon the demand of the
2 Commissioner and within the time period specified, in violation of Financial Code section 22701.

3 12. Financial Code section 22701 provides:

4 For the purpose of discovering violations of this division or securing
5 information required by him or her in the administration and enforcement
6 of this division, the commissioner may at any time investigate the loans and
7 business, and examiner the books, accounts, records, and files used in the
8 business, of every person engaged in the business of a finance lender or broker,
9 whether the person acts or claims to act as principal or agent, or under or without
10 authority of this division. For the purpose of examination, the commissioner and
11 his or her representatives shall have free access to the offices and places of business,
12 books, accounts, papers, records, files, safes, and vaults of all these persons.

13 13. Financial Code section 22156 provides in pertinent part:

14 Licensees shall keep and use in their business, books, accounts and records
15 which will enable the commissioner to determine if the licensee is complying
16 with the provisions of the division and with the rules and regulations made by
17 the commissioner.

18 14. Financial Code section 22712 provides in pertinent part:

19 Whenever, in the opinion of the commissioner, . . . any licensee is violating
20 any provision of this division, the commissioner may order that . . . licensee
21 to desist and refrain from . . . further violating this division. If, after the order
22 is made, a written request for a hearing is filed and no hearing is held within
23 30 days thereafter, the order is rescinded.

24 NOW, BASED UPON THE FOREGOING, IT IS HEREBY ORDERED, under the
25 provisions of Financial Code section 22712 that Wheels Financial immediately discontinue the
26 violations set forth above, to include immediately producing the documentation demanded by the
27 Commissioner by no later than 5:00 p.m. (Pacific time), January 22, 2016.

28 THIS ORDER shall remain in full force and effect until further order of the Commissioner.

Dated: February 27, 2017
Los Angeles, CA

JAN LYNN OWEN
Commissioner of Business Oversight

By _____
Mary Ann Smith
Deputy Commissioner
Enforcement Division